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NAME:	FACSIMILE:	TELEPHONE:
MS Amendment United States Patent and Trademark Office	(703) 872-9306	(571) 272-1918

**FROM:** Alan S. Hodes**DATE:** August 23, 2004

Number of pages with cover page:	4
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**Comments:****Comments: RESPONSE TO RESTRICTION REQUIREMENT****DOCKET NO.: 245402007700****GROUP ART UNIT: 2826****EXAMINER: V. Mandala, Jr.****SERIAL NO.: 10/699,553****FILING DATE: October 31, 2003****INVENTOR(S): Taiji MORIMOTO et al.****TITLE: SEMICONDUCTOR LASER DEVICE AND METHOD OF FABRICATING THE SAME****Papers attached:**

1. Transmittal ( 1 page)
2. Response To Restriction Requirement (2 pages)

PA-913282

PTO/SB/21 (02-04)

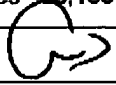
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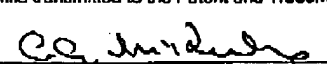
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/699,553	
	Filing Date	October 31, 2003	
	First Named Inventor	Taiji MORIMOTO	
	Art Unit	2826	
	Examiner Name	V. Mandala Jr.	
Total Number of Pages in This Submission	3	Attorney Docket Number	245402007700

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply (2 pages)  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax cover sheet
Remarks: _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Alan S. Hodes - 38,185
Signature	
Date	August 23, 2004

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-8306, on the date shown below.	
Dated: August 23, 2004	Signature:  (Carolyn G. McKubre)

pa-913264

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Dated: August 23, 2004

Signature:

  
(Carolyn G. McKubre)

OFFICIAL

Docket No. 245402007700  
Client Ref.: 903192-01(NA/yo)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Taiji MORIMOTO et al.

Application No.: 10/699,553

Confirmation No.: 3605

Filed: October 31, 2003

Art Unit: 2826

For: SEMICONDUCTOR LASER DEVICE AND  
METHOD OF FABRICATING THE SAME

Examiner: V. Mandala Jr.

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed July 23, 2004 (Paper No. 20040721), Applicant hereby provisionally elects claims 5-19 (Group II), for continued examination.

The Examiner has required restriction between:

- I. Claims 1-4, drawn to a semiconductor laser, classified in class 257, subclass 102.
- II. Claims 5-19, drawn to a method of fabricating a semiconductor laser, classified in class 438, subclass 22.

Applicant reserves the right to amend the application to include a generic claim.

pa-913263

Application No.: 10/699,553

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Docket No.: 245402007700

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing (245402007700). However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 23, 2004

Respectfully submitted,

By 

Alan S. Hodes

Registration No.: 38,185

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